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09/670,073	09/26/2000	Richard M. Shupak	777.345US1	5749

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EXAMINER

BATES, KEVIN T

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/670,073

Applicant(s)

SHUPAK ET AL.

Examiner

Kevin Bates

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1 – 63 are pending in this application.

The declaration and extension fee was received on February 1, 2001.

The Revocation and Power of Attorney was received on March 18, 2003.

Information Disclosure Statement

The information disclosure statements (IDS) submitted on October 17, 2000 and December 11, 2000 were considered by the examiner.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15, 17-21, 23-24, 27-29, 33-49, 53, 56-59 and 63 are rejected under 35 U.S.C. 102(e) as being anticipated by Shklar (6253239).

Regarding claim 1, Shklar discloses a computer implemented method comprising: querying a first server (Column 4, lines 25 – 39) for a location of a second server containing information (Column 3, lines 15 – 19) associated with an executable (Column 3, lines 28 – 36; Column 5, lines 11 – 19); and querying the second server for the information associated with the executable (Column 7, lines 23 – 34).

Regarding claim 2, Shklar discloses that querying a first server for a location of a second server includes providing a path to a look up HyperText Transfer Protocol (HTTP) symbol location server (Column 7, line 66 – Column 8, line 9).

Regarding claim 3, Shklar discloses that querying a first server for a location of a second server includes querying a Dynamic Host Configuration Protocol (DHCP) server as the lookup HTTP server (Column 4, lines 40 – 51) and requesting a number of Uniform Resource Identifiers (URIs) for composing an appropriate query for querying the second server for the information associated with the executable (Column 5, lines 20 – 25) because the http query to the first server leads to the URIs of the actual information locations.

Regarding claim 4, Shklar discloses that querying a first server for a location of a second server containing information associated with an executable includes querying a Domain Name System (DNS) server as the lookup server for a service (SRV) record identifying the second server to be queried because Shklar includes having the information stored as a URL to the actual information (Column 5, lines 20 – 25) then has to deal with the URL with an agent (Column 12, lines 30 – 34) which would have include a DNS to find the actual address from the URL address.

Regarding claim 5, Shklar discloses that querying a first server for a location of a second server containing information associated with an executable includes querying a directory service to return the location of the second server (Column 5, lines 11 – 13).

Regarding claim 6, Shklar discloses that querying a first server for a location of a second server containing information associated with an executable includes querying an Application Configuration, Access Protocol (ACAP) server for the location of the second server because he discloses the idea of access control and dependence to form (Column 12, line 47 – Column 13, line 4).

Regarding claim 7, Shklar discloses that querying a first server for a location of a second server containing information associated with an executable includes querying a Lightweight Directory Access Protocol (LDAP) server for the location of the second server because of his teachings of access control based on user characteristics (Column 12, line 47 – Column 13, line 5).

Regarding claim 8, Shklar discloses a computer implemented method comprising: querying a set of symbol location servers for a set of symbols (Column 3, lines 15 – 19) associated with a local file (Column 5, lines 11 – 19); and receiving the set of symbols from the set of symbol location servers (Column 5, lines 15 – 19; Column 7, lines 23 – 34).

Regarding claim 9, Shklar discloses that querying the set of servers for a set of symbols includes querying the set of servers with a unique identifier composed of different values from an image header extracted from a local file (Column 4, lines 41 – 45; Column 6, lines 35 – 46).

Regarding claim 10, Shklar discloses that the unique identifier composed of different values from an image header includes values, which won't be replicated between differing versions of the local file (Column 6, lines 35 – 46).

Regarding claim 11, Shklar discloses that receiving a set of symbols includes receiving a set of files containing the symbols, wherein the files can be stored to a local system memory (Column 4, lines 41 – 45; Column 7, lines 28 – 34).

Regarding claim 12, Shklar discloses that querying a set of symbol location servers for a set of symbols associated with a local file includes querying a set of

symbol location servers with a user customized query which can extract over a back end store (Column 2, lines 43 – 45).

Regarding claim 13, Shklar discloses a computer implemented method comprising: querying a set of servers (Column 4, lines 25 – 39) containing location information for a second server having information (Column 3, lines 15 – 19) associated with an executable (Column 3, lines 28 – 36; Column 5, lines 11 – 19); and receiving a set of information from the set of servers (Column 5, lines 15 – 19; Column 7, lines 23 – 34).

Regarding claim 14, Shklar discloses that receiving a set of information includes receiving a set of reference locations on the second server (Column 5, lines 20 – 25) which can be used to access a number of files on the second server associated with the executable.

Regarding claim 15, Shklar discloses the idea of querying the set of servers (Column 12, lines 25 – 34) includes querying a list of servers selected from the group consisting of a DHCP server (Column 4, lines 40 – 51; Column 5, lines 20 – 25), a DNS server (Column 5, lines 20 – 25) and having access protocols (Column 12, line 47 – Column 13, line 5) which have the user security taught in LDAP (Column 12, lines 54 – 55) and application configuration information (Column 12, lines 55 – 57).

Regarding claim 17, Shklar discloses that querying the list of servers includes querying the list of servers in a serial order because it teaches first using a server to look up the http request for a URL then using the URL to locate an actual address, in serial order (Column 12, lines 25 – 34).

Regarding claim 18, Shklar discloses that querying a set of servers containing location information for a second server having information associated with an executable includes packaging a set of information extracted from the executable into a HyperText Transfer Protocol (HTTP) request and sending the HTTP request to the set of servers (Column 4, lines 40 – 51).

Regarding claim 19, Shklar discloses a computer implemented method comprising: querying a first set of servers (Column 4, lines 25 – 39) containing location information for a second server having information (Column 3, lines 15 – 19) associated with an executable (Column 3, lines 28 – 36; Column 5, lines 11 – 19); receiving the location information for the second server from the first set of servers (Column 5, lines 15 – 19; Column 7, lines 23 – 34); and querying the second server for the information associated with the executable using a syntax based on the location information received for the second server (Column 7, lines 23 – 34).

Regarding claim 20, Shklar discloses that querying a first set of servers containing location information for a second server having information associated with an executable includes querying the first set of servers using metadata associated with the executable (Column 4, lines 40 – 51).

Regarding claim 21, Shklar discloses that querying the second server for the information associated with the executable includes querying the second server using metadata associated with the executable (Column 4, lines 40 – 51).

Regarding claim 23, Shklar discloses that the metadata includes metadata for a number of source files (Column 3, lines 34 – 36).

Regarding claim 24, Shklar discloses that querying the second server for the information associated with the executable includes querying the second server for symbols associated with the executable file (Column 10, lines 20 – 23).

Regarding claim 27, Shklar discloses that querying the second server for the information associated with the executable includes querying the second server for source code (Column 3, lines 34 – 35) associated with the executable file.

Regarding claim 28, Shklar discloses that querying the second server for the information associated with the executable further includes receiving a number of files containing the information associated with the executable file (Column 5, lines 11 – 19).

Regarding claim 29, Shklar discloses a method for locating information associated with an executable file (Column 3, lines 28 – 36; Column 5, lines 11 – 19) comprising: packaging metadata extracted from the executable file into an HTTP request (Column 7, lines 23 – 29); sending the HTTP request to a set of locator servers (Column 4, lines 25 – 39) containing location information for a server on which the information associated with the executable is located (Column 3, lines 15 – 19); and receiving a set of information back from the set of locator servers (Column 5, lines 15 – 19; Column 7, lines 23 – 34).

Regarding claim 33, Shklar discloses that receiving a set of information back from the set of locator servers includes receiving an HTTP redirect to the information associated with the executable file (Column 2, lines 16 – 32).

Regarding claim 34, Shklar discloses that receiving a set of information back from the set of locator servers includes receiving a location of a server on which the

information associated with the executable is located, and wherein the method further includes querying the server with a number of unique identifiers for the information associated with the executable file (Column 4, lines 41 – 45; Column 6, lines 35 – 46).

Regarding claim 35, Shklar discloses that querying the server with a number of unique identifiers for the information associated with the executable file further includes providing a number of additional qualifiers (Column 8, lines 36 – 54).

Regarding claim 36, Shklar discloses a computerized system, comprising: a first server (Column 4, lines 25 – 39) containing location information for information (Column 3, lines 15 – 19) associated with a local file (Column 3, lines 28 – 36; Column 5, lines 11 – 19); a second server containing the information associated with the local file (Column 3, lines 15 – 19); a computer having a number of local files (Column 7, lines 23 – 24); and wherein the first server provides a set of information on the second server to the computer (Column 3, lines 15 – 19).

Regarding claim 37, Shklar discloses that the set of information provided to the computer by the first server includes the location information for the second server, which can be used by the computer to query the second server (Column 7, lines 54 – 59).

Regarding claim 38, Shklar discloses that the set of information provided to the computer by the first server includes the information associated with the local file (Column 4, lines 52 – 58).

Regarding claim 39, Shklar discloses that the computer can read the information associated with the local file directly from the second server (Column 7, lines 54 – 59).

Regarding claim 40, Shklar discloses that the first server includes a HyperText Transfer Protocol (HTTP) server (Column 7, line 66 – Column 8, line 9).

Regarding claim 41, Shklar discloses that the HTTP server containing location information for information (Column 4, lines 40 – 51) associated with a local file includes a Dynamic Host Configuration Protocol (DHCP) server having a number of Uniform Resource Identifiers (URIs) for querying the second server containing the information associated with the local file (Column 5, lines 20 – 25) because the http query to the first server leads to the URIs of the actual information locations.

Regarding claim 42, Shkar discloses that the HTTP server containing location information for information associated with a local file includes a Domain Name System (DNS) server having a service (SRV) record identifying the second server containing the information associated with the local file because Shklar includes having the information stored as a URL to the actual information (Column 5, lines 20 – 25) then has to deal with the URL with an agent (Column 12, lines 30 – 34) which would have include a DNS to find the actual address from the URL address.

Regarding claim 43, Shklar discloses that the HTTP server containing location information for information associated with a local file includes an HTTP server having a directory service adapted to provide the location information for information associated with the local file to the computer (Column 3, lines 15 – 19).

Regarding claim 44, Shklar disclose that the first server includes an Application Configuration Access Protocol (ACAP) server adapted to provide the set of information

on the second server to the computer because he discloses the idea of access control and dependence to form (Column 12, line 47 – Column 13, line 4).

Regarding claim 45, Shklar discloses that querying a first server for a location of a second server containing information associated with an executable includes querying a Lightweight Directory Access Protocol (LDAP) server for the location of the second server because of his teachings of access control based on user characteristics (Column 12, line 47 – Column 13, line 5).

Regarding claim 46, Shklar discloses that the computer having a number of local files is networked to the first and the second servers over the Internet (Column 4, lines 25 – 28).

Regarding claim 47, Shklar discloses a computerized system, comprising: a first server (Column 4, lines 25 – 39) containing location information for information (Column 3, lines 15 – 19) on an executable file (Column 3, lines 28 – 36; Column 5, lines 11 – 19); a second server containing the information on the executable file (Column 5, lines 23 – 29); a computer having a number of executable files (Column 7, lines 23 – 24); and wherein the first server is adapted to provide the computer with the location information of the second server which can be used to query the second server for the information associated with the executable file (Column 7, lines 23 – 34).

Regarding claim 48, Shklar discloses the idea of querying the set of servers (Column 12, lines 25 – 34) includes querying a list of servers selected from the group consisting of a DHCP server (Column 4, lines 40 – 51; Column 5, lines 20 – 25), a DNS server (Column 5, lines 20 – 25) and having access protocols (Column 12, line 47 –

Column 13, line 5) which have the user security taught in LDAP (Column 12, lines 54 – 55) and application configuration information (Column 12, lines 55 – 57).

Regarding claim 49, Shklar discloses that the computer is configured to query a number of different tiers or multiple levels in a hierarchy of first servers in a serial order because it teaches first using a server to look up the http request for a URL then using the URL to locate an actual address, in serial order (Column 12, lines 25 – 34).

Regarding claim 53, Shklar discloses that the query to the second server for the information associated with the executable file includes metadata extracted from the executable file (Column 5, lines 11 – 19; Column 4, lines 40 – 51).

Regarding claim 56, Shklar discloses that a computer readable medium having computer executable instructions to cause a computing system to perform a method comprising: using a lookup server (Column 4, lines 25 – 39) to identify a set of location information (Column 3, lines 15 – 19) for a server having information associated with an executable file (Column 7, lines 23 – 24), based on metadata extracted from the executable file (Column 7, lines 23 – 29); and packaging an HTTP query for retrieving the information associated with the executable file (Column 7, lines 23 – 34).

Regarding claim 57, Shklar discloses that using the lookup server to identify a set of location information for a server having information associated with an executable file includes providing a response to a requesting client from the lookup server (Column 7, lines 23 – 34).

Regarding claim 58, Shklar discloses that providing a response to a requesting client includes returning the set of location information on the server having information

associated with an executable file to the requesting client as an HTTP redirect (Column 5, lines 20 – 34).

Regarding claim 59, Shklar discloses a method for locating information associated with a local file comprising: packaging metadata extracted from the local file into an HTTP request (Column 7, lines 23 – 29); sending the HTTP request to a set of locator servers (Column 4, lines 25 – 39) containing location information for information (Column 3, lines 15 – 19) associated with the local file (Column 3, lines 28 – 36; Column 5, lines 11 – 19); receiving a set of information back from the set of locator servers (Column 5, lines 15 – 19; Column 7, lines 23 – 34); and packaging an HTTP query for retrieving the information associated with the local file based on the set of information received back from the set of locator servers (Column 7, lines 23 – 34).

Regarding claim 63, Shklar discloses a server architecture, comprising; a first server (Column 4, lines 25 – 39), the first server including; means for interpreting metadata associated with an executable file received from a remote client (Column 4, lines 42 – 45); and means for redirecting the remote client to a second server containing information associated with the executable file (Column 7, lines 54 – 65); and a second server adapted to interpreting a query from the remote client for retrieving a specific file from among the information associated with the executable file (Column 7, lines 23 – 34).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22, 25-26, 30-32, 51-52, 54-55, and 60-62 are rejected under 35 U.S.C.

103(a) as being unpatentable over Shklar.

Regarding claim 22, Shklar does not explicitly indicate that the metadata includes metadata for a number of debug files. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as debug files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19).

Regarding claim 25, Shklar does not explicitly indicate that querying the second server for the information associated with the executable includes querying the second server for regression analysis data associated with the executable file. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as analysis files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19).

Regarding claim 26, Shklar does not explicitly indicate that querying the second server for the information associated with the executable includes querying the second server for performance analysis data associated with the executable file. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as analysis files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19).

Regarding claim 30, Shklar does not explicitly indicate that packaging metadata extracted from the executable file into an HTTP request includes packaging metadata to locate an updated version of the executable file. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as updating files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19; Column 11, lines 38 – 54).

Regarding claim 31, Shklar does not explicitly indicate that packaging metadata extracted from the executable file into an HTTP request includes packaging metadata for locating a debug file associated with the executable file. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 –

49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as debug files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19).

Regarding claim 32, Shklar does not explicitly indicate that packaging metadata extracted from the executable file into an HTTP request includes packaging metadata to locate a specific build version of the executable file. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as related, updated files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19; Column 11, lines 38 – 54).

Regarding claim 51, Shklar does not explicitly indicate that the second server containing the information on the executable file includes information on at least one of the number of executable files on the computer. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the

executable such as related, updated files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19; Column 11, lines 38 – 54).

Regarding claim 52, Shklar does not explicitly indicate that the computer is configured to query the second server, in an HTTP request format, for the information associated with the executable file using a number of qualifiers premised on at least one of the number of executable files on the computer. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as related, updated files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19; Column 11, lines 38 – 54).

Regarding claim 54, Shklar discloses that the metadata extracted from the executable file includes metadata for a debug file associated with the executable. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as debug files in order to have

that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19).

Regarding claim 55, Shklar does not explicitly indicate that the metadata extracted from the executable file includes metadata associated with regression analysis data for the executable file. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as analysis files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19).

Regarding claim 60, Shklar does not explicitly indicate that packaging an HTTP query for retrieving information associated with the local file further includes qualifying the HTTP query to select a specific file version from among information associated with the local file. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as related, updated files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19; Column 11, lines 38 – 54).

Regarding claim 61, Shklar does not explicitly indicate that qualifying the HTTP query to select a specific file version from among the information associated with the local file includes qualifying the HTTP query to select an updated file version of an executable file Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as related, updated files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19; Column 11, lines 38 – 54).

Regarding claim 62, Shklar does not explicitly indicate that qualifying the HTTP query to select a specific file version from among the information associated with the local file includes qualifying the HTTP query to select a specific debug file associated with a local executable file. Shklar does teach grouping units or files together based on metadata and for many proposes (Column 2, lines 37 – 49) and having that information presentable even from remote sources (Column 2, lines 50 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention to relate executables and files grouped with the executable such as debug files in order to have that information available and easily displayed to the user (Column 3, lines 28 – 36; 15 – 19).

Claims 16 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shklar in view of Vigil (5756343).

Regarding claim 50, Shklar does not explicitly indicate that the computer is configured to query a number of different tiers or multiple levels in a hierarchy of first servers in a parallel order. Vigil teaches the idea of having a directly service distributed and working in parallel (Column 3, lines 34 – 39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Vigil's idea of improving a directory service by having it work in parallel to Shklar's teachings of a directory service in order to handle a large collection of information in a distributed setting (Column 2, lines 49 – 67).

Regarding claim 16, Shklar does not explicitly indicate that querying the list of servers includes querying the list of servers in parallel. Vigil teaches the idea of having a directly service distributed and working in parallel (Column 3, lines 34 – 39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Vigil's idea of improving a directory service by having it work in parallel to Shklar's teachings of a directory service in order to handle a large collection of information in a distributed setting (Column 2, lines 49 – 67).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6131120 issued to Reid.

U. S. Patent No. 6085188 issued to Bachmann.

U. S. Patent No. 5983267 issued to Shklar.

U. S. Patent No. 5987510 issued to Imai.

U. S. Patent No. 5793966 issued to Amstein.

U. S. Patent No. 6098108 issued to Sridhar.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (703) 605-0633. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

KB
January 20, 2004


PATRICE WINDER
PRIMARY EXAMINER